

Application No. 10/523,011
Amendment dated October 6, 2008
Reply to Office Action of July 10, 2008

Docket No.: 1152-0315PUS1

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings includes changes to Figures 1-6, which are modified to indicate --Conventional Art-- and labeling the sheets with "Replacement Sheet".

Attachment: Replacement sheets

REMARKS

Claims 1-23 and 33-43 are now pending in this application, of which claims 1, 11, 18, 33, and 39 are in independent form.

Claims 1-3, 6-11, 15-18, 20-23, 33-34, 36-39, and 41-43 have been amended. Claims 24-32 are cancelled, and no new claims have been added. The claim amendments are generally non-substantive and are intended to help clarify the claimed invention and to address potential antecedent issues. The claim amendments are not provided in response to any objection or rejection.

Priority Under 35 U.S.C. § 119

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

Information Disclosure Citation

Applicants thank the Examiner for considering the references supplied with the Information Disclosure Statements filed February 1, 2005; April 13, 2006; May 17, 2006; October 4, 2006; May 30, 2007; and January 28, 2008; and for providing Applicants with initialed copies of the PTO-1449 or PTO-SB08 forms filed therewith.

Drawing Objections

The Office Action objects to the drawings filed on February 1, 2008. Figures 1-6 have been designated with the legend --Conventional Art-- and labeled "Replacement Sheet", in conformance with the preferences outlined in MPEP 608.02(g).

Claim Rejections Under 35 U.S.C. § 102

The Office Action rejects claims 1, 4-8, 11-15 and 18-21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0003522 issued to Baba et al. (hereinafter "*Baba*"). These rejections are respectfully traversed.

The Office Action asserts that in *Baba* a “type of the image content” is detected by determining the maximum brightness level of an image signal. Applicants respectfully disagree. The “type of content of an image to be displayed on the [LCD] panel” which is detected by a section for detecting, as recited by **independent claims 1, 11, and 18**, corresponds to information which identifies characteristics of the content (e.g., subject matter) of the image, rather than characteristics of the data which describes the image signal itself (such as maximum brightness level). “The types of contents indicate the categories such as sport, drama, news, animation, game, etc,” and may be detected based on, for example, “shooting information descriptive of the shooting conditions such as shutter speed, information as to additional motion blur and the like,” video source select command information from a user, or electronic program guide information. (Specification, page 29, lines 7-25.) The maximum brightness level of a particular image frame, as detected in *Baba*, is not disclosed to indicate or identify characteristics of such content of the image. Hence, *Baba* does not disclose detection of “a type of content of an image to be displayed on the liquid crystal display panel,” particularly when such detection is “based on information other than the image signal to be displayed,” as recited in claims 1, 11, and 18.

Consequently, *Baba* does not, and cannot, disclose sections for variably “controlling the illumination duration of the backlight based on the detected type of the content of the image,” as recited by claim 1, “controlling the duration in which a black display signal is supplied to the liquid crystal display panel based on the detected type of the content of the image,” as recited in claim 11, or “variably controlling a ratio of display duration of the image signal in the one frame period, based on the detected type of the content of the image,” as recited by claim 18.

Accordingly, independent claims 1, 11, and 18 are believed to recite subject matter distinct from that disclosed by *Baba*. Claims 4-8, 12-15, and 19-21 are believed to be in condition for allowance for the same reasons as their base claims.

Withdrawal of the § 102(b) rejections and reconsideration of claims 1, 4-8, 11-15 and 18-21 are respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Under 35 U.S.C. § 103(a), the Office Action rejects: claims 24, 27-30, 33-36, and 39-41 as being unpatentable over *Baba* in view of U.S. Patent Publication No. 2004/0012556 issued to Yong et al. (hereinafter "*Yong*"), claims 2 and 3 as being unpatentable over *Baba* in view of Applicant's Admitted Prior Art ("APA"), claims 25 and 26 as being unpatentable over *Baba* in view of *Yong* in further view of APA, claims 9, 10, 16, 17, 22, and 23 as being unpatentable over *Baba* in view of U.S. Patent Publication No. 2003/0011610 issued to Kitsutaka et al. (hereinafter "*Kitsutaka*"), and claims 31, 32, 37, 38, 42, and 43 as being unpatentable over *Baba* in view *Yong* and in further view of *Kitsutaka*. These rejections are respectfully traversed.

Claims 24, 27-30, 33-36, and 39-41: Baba + Yong

Claims 24 and 27-30 are cancelled. Thus, the rejection thereof is moot.

Independent claim 33 recites, in part, "a section for variably controlling the duration in which the black display signal is supplied to the liquid crystal display panel based on the user's instructional input." *Baba* and *Yong* do not, alone or in combination, disclose that control of a signal received by an LCD panel to vary a duration of a black display signal is "based on the user's instructional input [to a section of the display device]." *Baba* discloses that "the image display period is lengthened when the displayed image is bright ... and the black display period is lengthened when the displayed image is dark." (*Baba*, [0111]-[0112].) Moreover, variations to the duration of image signal period/black display signal or to durations of backlight are, as consistently pointed out in the Office Action, based on a "maximum brightness level" found in the image signal. *Yong*, on the other hand, discloses that a "user wanting the LCD backlight to be brighter would select the desired brightness value corresponding to [a stored brightness curve] over the desired brightness value corresponding to [a lower stored brightness curve]." (*Yong*, [0022].) No maximum brightness level of an input image signal is provided by the user input described by *Yong*. Hence, the prior art of record does not disclose every feature of claim 33.

Moreover, “if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.” (MPEP § 2143.01, quoting *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).) Combination of *Baba* with *Yong* in order to provide a change in brightness “based on the user’s instructional input” would destroy the principle of operation of *Baba* and/or render the *Baba* invention unsatisfactory for its intended purpose (i.e., varying the display period based on maximum brightness). That is, the variation of backlight duration and/or image/black signal based on a user input would destroy the *Baba* principle of operation based on a detected maximum brightness level.

Claim 33 is, therefore, distinct from the prior art of record, and is believed to be in condition for allowance. Claims 34-36 depend from claim 33 are believed to be in condition for allowance for the same reasons as their base claim, in addition to reciting further limitations. Applicants respectfully request withdrawal of the rejection and reconsideration of claims 33-36.

Similarly, combination of *Baba* with *Yong* to obtain “a section for variably controlling the ratio of the display duration of the image signal in the one frame period, based on the detected user's instruction,” as recited in **independent claim 39**, would destroy the principle of operation of *Baba* and/or render the *Baba* invention unsatisfactory for its intended purpose (i.e., controlling the ratio of the display duration based on detected maximum brightness level). *Yong* does not provide a user input which indicates a maximum brightness level. Thus, claim 39 is distinct from *Baba* and *Yong*. Claims 40-43 depend from claim 39 and are therefore believed to be in condition for allowance for at least the same reasons as their base claim. Applicants respectfully request withdrawal of the rejection and reconsideration of claims 39-41.

Claims 2-3: Baba + APA

Claims 2 and 3 depend from claim 1 and are believed to be in condition for allowance for the same reasons as base claim 1. The Admitted Prior Art does not disclose a section for

detecting the type of the image content to be displayed, and thus does not remedy the deficiency of *Baba*.

Accordingly, claims 2 and 3 are believed to be in condition for allowance. Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

Claims 25-26: Baba + Yong + APA

Claims 25 and 26 are cancelled. The rejection of these claims is, therefore, moot.

Claims 9, 10, 16, 17, 22, and 23: Baba + Kitsutaka

Claims 9, 10, 16, 17, 22, and 23 depend from base claims which, as discussed above regarding the §102 rejection, are believed to be in condition for allowance. *Kitsutaka* does not remedy the deficiency of *Baba*. More particularly, *Kitsutaka* does not disclose detection of “a type of content of an image to be displayed on the liquid crystal display panel, passed on information other than the image signal to be displayed” as recited in the base claims and best understood in view of the specification. Accordingly, claims 9, 10, 16, 17, 22, and 23 are believed to be in condition for allowance for at least the same reasons as their base claims.

Claims 31, 32, 37, 38, 42, and 43: Baba + Yong + Kitsutaka

Claims 31 and 32 are cancelled. The rejection thereof is, therefore, moot.

Claims 37, 38, 42, and 43 depend from independent claim 33 or 39 and are believed to be in condition for allowance for the same reasons as their base claims. *Kitsutaka* does not remedy the deficiencies of *Baba* and *Yong*, discussed above in connection with claims 33 and 39.

Accordingly, *Baba*, *Yong*, and *Kitsutaka* do not, alone or in combination, disclose or render as obvious every feature of claims 37, 38, 42 and 43. Withdrawal of the rejection and reconsideration of these claims is respectfully requested.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact James C. Larsen, Reg. No. 58,565, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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